

U.S. Department of Justice
United States Marshals Service

PROCESS RECEIPT AND RETURN

See Instructions for "Service of Process by the U.S. Marshal"
on the reverse of this form.

PLAINTIFF

Christopher C.A. Clack CDC#F-98816

DEFENDANT

Deputy Hoenig-#12- #2840

FILED

2008 JUL 14 AM 8:27

COURT CASE NUMBER

08cv624-TEG(RBh)

TYPE OF PROCESS

Summons

SERVE



AT

NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN
Deputy Hoenig #3275, San Diego County Sheriffs Department

ADDRESS (Street or RFD, Apartment No., City, State, and ZIP Code)
1173 Front Street
San Diego, CA 92101

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:

Christopher C.A. Clack
F-98816, MI-01-059L
P.O. Box 5008
Calipatria, CA 92233

Number of process to be
served with this Form - 285

1

Number of parties to be
served in this case

2

Check for service
on U.S.A.

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):

Fold

RECEIVED
2008 JUL - 1 A 10:47
U.S. MARSHAL
SOUTHERN DISTRICT
CALIFORNIA

Signature of Attorney or other Originator requesting service on behalf of:

☒ PLAINTIFF
☐ DEFENDANT

TELEPHONE NUMBER

N / A

DATE

06/24/08

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total
number of process indicated.
(Sign only first USM 285 if more
than one USM 285 is submitted)

Total Process

District

of Origin

No.

District

to Serve

No.

Signature of Authorized USM Deputy or Clerk

Date

I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.

☒ I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above)

☐ A person of suitable age and discretion then residing in the defendant's usual place of abode.

Address (complete only if different than shown above)

Date of Service

Time

07/9/08 12:00 pm

Signature of U.S. Marshal or Deputy

Service Fee

Total Mileage Charges
(including endeavors)

Forwarding Fee

Total Charges

Advance Deposits

Amount owed to U.S. Marshal or

Amount of Refund

REMARKS: Went to 1173 Front St. Front Desk clerk notified, said, that he no longer was with the Department 7/9/2008 and lives in Michigan. JD.

United States District Court

SOUTHERN DISTRICT OF CALIFORNIA

Christopher Charles Alexander Clack,
CDC #F-98816

vs

San Diego County Sheriffs Department; Deputy
Latimer #3275; Deputy Hoenig #2840

SUMMONS IN A CIVIL ACTION

Case No. 08cv624-IEG(RBB)

TO: (Name and Address of Defendant)

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon PLAINTIFF'S ATTORNEY

Christopher Charles Alexander Clack
Calipatria State Prison
P O Box 5008
Calipatria, CA 92233

An answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

W. Samuel Harrick, Jr.

Clerk of Court

June 13, 2008

DATE

By, J. Haslam, Deputy Clerk

RETURN OF SERVICE				
Service of the Summons and Complaint was made by me			DATE	
NAME OF SERVER			TITLE	
Check one box below to indicate appropriate method of service				
<input type="checkbox"/> Served personally upon the defendant. Place where served: _____				
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein:				
Name of person with whom the summons and complaint were _____				
<input type="checkbox"/> Return unexecuted: _____				
<input type="checkbox"/> Other (specify): _____				
STATEMENT OF SERVICE FEES				
TRAVEL		SERVICES	TOTAL	
DECLARATION OF SERVER				
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service Fees is true and correct.				
Executed on: _____				
Date		Signature of Server		
Address of Server				
<u>NOTICE OF RIGHT TO CONSENT TO TRIAL BY A UNITED STATES MAGISTRATE</u>				
IN ACCORDANCE WITH THE PROVISION OF 28 USC 636(C) YOU ARE HEREBY NOTIFIED THAT A U.S. MAGISTRATE OF THIS DISTRICT MAY, UPON CONSENT OF ALL PARTIES ON FORM 1A AVAILABLE IN THE CLERK'S OFFICE, CONDUCT ANY OF ALL PROCEEDINGS, INCLUDING A JURY OR NON-JURY TRIAL, AND ORDER THE ENTRY OF A FINAL JUDGMENT. <u>COUNSEL FOR THE PLAINTIFF HAS RECEIVED A CONSENT FORM.</u>				
YOU SHOULD BE AWARE THAT YOUR DECISION TO CONSENT OR NOT CONSENT IS ENTIRELY VOLUNTARY AND SHOULD BE COMMUNICATED SOLELY TO THE CLERK OF COURT. ONLY IF ALL PARTIES CONSENT WILL THE JUDGE OR MAGISTRATE TO WHOM THE CASE HAS BEEN ASSIGNED BE INFORMED OF YOUR DECISION.				
JUDGEMENTS OF THE U.S. MAGISTRATES ARE APPEALABLE TO THE U.S. COURT OF APPEALS IN ACCORDANCE WITH THIS STATUTE AND THE FEDERAL RULES OF APPELLATE PROCEDURE UNLESS THE PARTIES AT THE TIME OF THEIR CONSENT TO TRIAL BEFORE A MAGISTRATE AGREE UPON REVIEW BY THE UNITED STATES DISTRICT COURT.				

1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure

summons.frp